

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

United States of America,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil No.
	)	
Smith and Wesson, Model SW380, .380 Caliber	)	
Pistol, S/N RAE0013;	)	
	)	
Heckler and Koch, Model USP45 Compact, .45	)	
Caliber Pistol with an obliterated S/N;	)	
	)	
Ruger P89 Serial No. 315-85165;	)	
	)	
Intratec 9mm Luger Mod AB-10 Serial	)	JURY TRIAL REQUESTED
No. A061307;	)	
	)	
Masterpiece Arms 9mm Serial No. F14040;	)	
	)	
CN Romarm SA/CUGIR Serial No. IM-4814-79;	)	
	)	
Charter/Survival Arms AR-7 Explorer Serial	)	
No. A307037;	)	
	)	
Tulammo 380 Ammunition;	)	
	)	
Tulammo 7.62X39 Ammunition;	)	
	)	
Winchester 380 Auto Ammunition;	)	
	)	
Federal 380 Auto Ammunition;	)	
	)	
Federal 45 Auto Ammunition;	)	
	)	
Federal 9mm Ammunition;	)	
	)	
Remington 9mm Ammunition, all seized from	)	
Dustin Moss,	)	
	)	
Defendants <i>in rem</i> .	)	
_____	)	

**VERIFIED COMPLAINT FOR FORFEITURE *IN REM*,  
FOR PROPERTY WITHIN THE UNITED STATES' POSSESSION, CUSTODY  
OR CONTROL PURSUANT TO SUPPLEMENTAL RULE G**

Plaintiff, United States of America, brings this Complaint according to Supplemental Rule G(2) of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions, and alleges:

**NATURE OF THE ACTION**

This is an action to forfeit and condemn to the use and benefit of the United States of America the captioned defendants *in rem* pursuant to 18 U.S.C. § 924(d)(1) and 21 U.S.C. § 881(a)(11).

**JURISDICTION AND VENUE**

The Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1345 and 1355(a). Venue is proper in this district pursuant to 28 U.S.C. §§ 1395 and 1355(b)(1).

**THE DEFENDANTS *IN REM***

The defendants *in rem* are the following properties: (1) Smith and Wesson, Model SW380, .380 Caliber Pistol, S/N RAE0013; (2) Heckler and Hock, Model USP45 Compact, .45 Caliber Pistol with an obliterated S/N; (3) Ruger P89 Serial No. 315-85165; (4) Intratec 9mm Luger Mod AB-10 Serial No. A061307; (5) Masterpiece Arms 9mm Serial No. F14040; (6) CN Romarm SA/CUGIR Serial No. IM-4814-79; (7) Charter/Survival Arms AR-7 Explorer Serial No. A307037; (8) Tulammo 380 Ammunition; (9) Tulammo 7.62X39 Ammunition; (10) Winchester 380 Auto Ammunition; (11) Federal 380 Auto Ammunition; (12) Federal 45 Auto Ammunition; (13) Federal 9mm Ammunition; (14) Remington 9mm Ammunition, all seized from Dustin Moss. The defendants *in rem* are currently in the custody of the United States Bureau of Alcohol, Tobacco and Firearms and The United States Postal Service.

### **FACTS**

1. On April 18, 2017, Postal Inspectors identified a U.S. Priority Express Mail package addressed to Brian O'Rourke at 3 Blackberry Way, Unit 108, in Manchester, New Hampshire. The package had several suspect characteristics. After a K-9 alerted on the package, Postal Inspectors obtained a federal search warrant. Inspectors found twelve pounds of methamphetamine inside the package, concealed in an audio speaker. Postal Inspectors removed the narcotics from the package and replaced it with a "dummy" substance to restore the package to its original weight. A notice of attempted delivery was left at the Manchester address and stated the post office would hold the package for pick up. Dustin Moss and O'Rourke were observed retrieving the notice and driving to the post office for pickup. When the package was in Moss's possession police arrested both men.

2. During the search of Moss's vehicle, defendant *in rem* (1) was located in plain view near the front center console and seized.

3. On April 20, 2018, agents searched Moss's U-Haul storage unit and seized defendants *in rem* (2) through (14).

4. On April 25, 2018, Moss pleaded guilty to felony drug trafficking charges and possession of a firearm in furtherance of a drug trafficking crime. United States vs. Dustin Moss, 1:17-CR-00079-JL, Document Number 63. As part of his plea agreement, he agreed to forfeit the defendants *in rem* pursuant to any criminal, civil and/or administrative forfeiture action brought to forfeit these assets. Id., ¶12. Moss also acknowledged that the property subject to forfeiture is property facilitating or involved in illegal conduct. Id.

**FIRST CLAIM FOR FORFEITURE**  
**21 U.S.C. § 881(a)(11)**

5. The allegations contained in paragraphs 1 through 4 of this Verified Complaint for Forfeiture *in Rem* are incorporated by reference.

6. Pursuant to 21 U.S.C. § 881(a)(11), “any firearm...used or intended to be used to facilitate the transportation, sale, receipt, possession, or concealment of property...and any proceeds traceable to such property.”

7. The defendant *in rem* (1) through (7) are firearms involved or used in violation of 21 U.S.C. §§ 846 & 841(b)(1)(A)(viii), and are subject to seizure and forfeiture.

8. As a result, the defendants *in rem* (1) through (7) are liable to condemnation and forfeiture to the United States for its use, in accordance with 21 U.S.C. § 881(a)(11).

**SECOND CLAIM FOR FORFEITURE**  
**18 U.S.C. § 924(d)(1)**

9. The allegations contained in paragraphs 1 through 8 of this Verified Complaint for Forfeiture *in Rem* are incorporated by reference.

10. Pursuant to 18 U.S.C. § 924(c), it shall be unlawful for any person who, during and in relation to any crime of violence or drug trafficking crime . . . uses or carries a firearm, or who, in furtherance of any such crime, possesses a firearm. Pursuant to 18 U.S.C. § 924(d)(1), any firearm or ammunition involved or used in violation of 18 U.S.C. § 924(c) shall be subject to seizure and forfeiture.

11. By reason of the facts set forth and incorporated here, the defendants *in rem* (1) through (14) are firearms and ammunition liable to condemnation and forfeiture to the United States of America, pursuant to 18 U.S.C. § 924(d)(1).

Therefore, the United States requests that:

- (a) the Clerk of Court issue a Warrant of Arrest *in Rem*, in the form submitted with this Verified Complaint, to the United States Bureau of Alcohol, Tobacco and Firearms, and The United States Postal Service commanding them to arrest the defendants *in rem*;
- (b) this matter be scheduled for a jury trial;
- (c) judgment be entered against the defendants *in rem*;
- (d) the defendants *in rem* be disposed of according to law; and
- (e) this Court grant the United States its costs and whatever other relief to which it may be entitled.

Respectfully submitted,

SCOTT W. MURRAY  
United States Attorney

Dated: July 30, 2018

By: /s/ Robert J. Rabuck  
Robert J. Rabuck  
NH Bar # 2087  
Assistant U.S. Attorney  
District of New Hampshire  
53 Pleasant Street  
Concord, New Hampshire  
603-225-1552  
[rob.rabuck@usdoj.gov](mailto:rob.rabuck@usdoj.gov)

**VERIFICATION**

I, Bruce Sweet, being duly sworn, depose and say that I am a postal inspector with the United States Postal Inspection Service, and as such have responsibility for the within action, that I have read the contents of the foregoing Verified Complaint for Forfeiture *in rem* and know the contents therein, and that the same is true to the best of my knowledge, information and belief.

The sources of my information and the grounds of my belief are official records and files of the United States and the State of New Hampshire, and information obtained by me and other law enforcement officers during an investigation of alleged violations of the controlled substances laws of the State of New Hampshire and of the United States.

/s/ Bruce Sweet  
Bruce Sweet

STATE OF NEW HAMPSHIRE  
COUNTY OF MERRIMACK

Subscribed and sworn to before me this 30<sup>th</sup> day of July, 2018.

/s/ Francine Doucette Conrad  
Notary Public

My commission expires: April 23, 2019.

Smith and Wesson, Model SW380, .380 Caliber )  
Pistol, S/N RAE0013; )  
)  
Heckler and Koch, Model USP45 Compact, .45 )  
Caliber Pistol with an obliterated S/N; )  
)  
Ruger P89 Serial No. 315-85165; )  
)  
Intratec 9mm Luger Mod AB-10 Serial )  
No. A061307; )  
)  
Masterpiece Arms 9mm Serial No. F14040; )  
)  
CN Romarm SA/CUGIR Serial No. IM-4814-79; )  
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Charter/Survival Arms AR-7 Explorer Serial )  
No. A307037; )  
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Tulammo 380 Ammunition; )  
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Winchester 380 Auto Ammunition; )  
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Federal 380 Auto Ammunition; )  
)  
Federal 45 Auto Ammunition; )  
)  
Federal 9mm Ammunition; )  
)  
Remington 9mm Ammunition, all seized from )  
Dustin Moss, )  
)  
Defendants *in rem.* )  
\_\_\_\_\_ )

# CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff \_\_\_\_\_  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

## DEFENDANTS

County of Residence of First Listed Defendant \_\_\_\_\_  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question  
(U.S. Government Not a Party)
- ☐ 4 Diversity  
(Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

## V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding    ☐ 2 Removed from State Court    ☐ 3 Remanded from Appellate Court    ☐ 4 Reinstated or Reopened    ☐ 5 Transferred from Another District (specify)    ☐ 6 Multidistrict Litigation

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.    DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

DATE

SIGNATURE OF ATTORNEY OF RECORD



**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**

## Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
  - (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
  - (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
- United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the six boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

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Plaintiff,	)	
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v.	)	Civil No.
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Remington 9mm Ammunition, all seized from	)	
Dustin Moss,	)	
	)	
Defendants <i>in rem</i> .	)	
_____	)	

**SUMMONS AND WARRANT OF ARREST IN REM  
FOR ISSUANCE BY THE CLERK OF COURT FOR PROPERTY  
WITHIN THE UNITED STATES' POSSESSION, CUSTODY OR CONTROL  
PURSUANT TO SUPPLEMENTAL RULE G(3)(b)(I)**

To the Bureau of Alcohol, Tobacco, Firearms and Explosives, and the United States Postal Service, or any duly authorized Federal Law Enforcement Officer for the District of New Hampshire:

Pursuant to Rule G(3)(b)(i) of the Supplemental Rules for Certain Admiralty and Maritime Claims, a Verified Complaint for Forfeiture in Rem has been filed on July 27, 2018, in the U.S. District Court for the District of New Hampshire, alleging that the following property is subject to forfeiture to the United States on the following grounds: (1) Smith and Wesson, Model SW380, .380 Caliber Pistol, S/N RAE0013; (2) Heckler and Hock, Model USP45 Compact, .45 Caliber Pistol with an obliterated S/N; (3) Ruger P89 Serial No. 315-85165; (4) Intratec 9mm Luger Mod AB-10 Serial No. A061307; (5) Masterpiece Arms 9mm Serial No. F14040; (6) CN Romarm SA/CUGIR Serial No. IM-4814-79; (7) Charter/Survival Arms AR-7 Explorer Serial No. A307037; (8) Tulammo 380 Ammunition; (9) Tulammo 7.62X39 Ammunition; (10) Winchester 380 Auto Ammunition; (11) Federal 380 Auto Ammunition; (12) Federal 45 Auto Ammunition; (13) Federal 9mm Ammunition; (14) Remington 9mm Ammunition, all seized from Dustin Moss, for violations of 18 U.S.C. § 924(d)(1) and 21 U.S.C. § 881(a)(11).

YOU ARE, THEREFORE, COMMANDED to seize the captioned defendants *in rem*, and use discretion and whatever means appropriate to protect and maintain the property pending the outcome of this action;

IT IS FURTHER ORDERED that the Bureau of Alcohol, Tobacco, Firearms and Explosives and the United States Postal Service shall maintain custody of the defendants *in rem*

until further order of this Court, and shall use his discretion and whatever means appropriate to protect and maintain said defendants *in rem*;

IT IS FURTHER ORDERED that the United States shall serve upon all potential claimants to the defendants *in rem*, a copy of this Summons and Warrant of Arrest *in rem*, and the Verified Complaint for Forfeiture *in Rem*, in a manner consistent with the principles of service of process in an action *in rem* under Supplemental Rule G and other Supplemental Rules for Certain Admiralty and Maritime Claims and Title 18, United States Code, Section 983(a);

IT IS FURTHER ORDERED that a return of this Summons and Warrant of Arrest *in rem* shall be promptly made to the Court, identifying the individuals upon whom copies were served and the manner employed; and

IT IS FURTHER ORDERED that all persons claiming an interest in or right against the defendant *in rem* shall file their Verified Claims within thirty-five (35) days after the date on which they were sent the Notice of Complaint or the final publication of notice of the filing of the Complaint, whichever is earlier, or within such additional time as the Court may allow, pursuant to Title 18, United States Code, Section 983(a)(4) and Rule G(4)(b)(ii)(B) of the Supplemental Rules for Certain Admiralty and Maritime Claims, and shall serve and file their Answers to the Complaint within twenty-one (21) days after the filing of their Verified Claims, pursuant to Rule G(4)(b)(ii)(C) of the Supplemental Rules for Certain Admiralty and Maritime Claims, with the Office of the Clerk, United States District Court for the District of New Hampshire, with a copy sent to Assistant United States Attorney Robert J. Rabuck, United States Attorney's Office, District of New Hampshire, 53 Pleasant Street, Concord, NH 03301.

Dated:

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DANIEL J. LYNCH, CLERK